

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America, Plaintiff, v. Rashard Dujan Ross (1), Harry Hank Lloyd (2), and Kevin Albert Murphy (3), Defendants.	Case No. 24-cr-202 (DSD/TNL) ORDER
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This matter comes before the Court on the United States of America’s Motion to Continue Motions Hearing Date, ECF No. 94.

The Government requests that the motions hearing scheduled for January 14, 2025, be stricken and that a new motions hearing date be set at a time mutually agreeable to the Court and counsel. ECF No. 94. The Government states that one of its witnesses is unable to attend the January 14 hearing because of a medical condition. *Id.* The Government also states that one Defendant has been “under the weather” and would appreciate time to recover before the motions hearing. *Id.* The attorneys for Defendant Rashard Dujan Ross and Defendant Harry Hank Lloyd join in the motion for a continuance. *Id.* Because this is

a joint case and because a joint motion was filed, the motions hearing will be continued for both Defendant Ross and Defendant Lloyd.¹

Although an exclusion under the Speedy Trial Act was not requested, pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendants in a speedy trial and such continuance is necessary to provide Defendants and their counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources. Accordingly, and because motions have already been filed in this case, the Court will exclude the time between the date of this order and the date of the motions hearing.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Government's Motion to Continue Motions Hearing Date, ECF No. 94, is **GRANTED**.

2. The period of time from **the date of this Order through the new motions hearing**, shall be excluded from Speedy Trial Act computations in this case.

8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or

¹ Defendant Kevin Albert Murphy notified the Court that he will not be filing motions, ECF No. 90, and the Court excused him from attending the motions hearing. ECF No. 91. Defendant Murphy remains excused from the continued hearing.

- b. Oral argument is requested by either party in its motion, objection or response pleadings.

9. The motions hearing before Magistrate Judge Tony N. Leung is continued to *a date and time to be determined* in Courtroom 9W, Diana E. Murphy United States Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota. *See* D. Minn. LR 12.1(d). The Court will contact the parties to determine a mutually agreeable date for the motions hearing, and then the Court will schedule the new motions hearing by text order.

10. **TRIAL: The trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge David S. Doty to confirm the new trial date.**

Dated: January 14, 2025

/s/ Tony N. Leung

Tony N. Leung
United States Magistrate Judge
District of Minnesota

United States v. Sealed
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